SOUTHERN DISTRICT OF NEW YORK		
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LINUTED OTATES OF AMERICA	•	
UNITED STATES OF AMERICA,	:	
	:	
-V-	:	16-CR-167 (LAP)
	:	
CARLOS VINALES,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
	X	

LORETTA A. PRESKA, United States District Judge:

INITED OTATES DISTRICT COLIDT

The conference scheduled for 10:00 a.m. on December 14, 2020 will occur as a teleconference using the dial-in (888) 363-4734, access code: 4645450. In accordance with the Court's Emergency Individual Rules and Practices in Light of COVID-19, counsel should adhere to the following rules and guidelines during the hearing:

- 1. Each party should designate a single lawyer to speak on its behalf (including when noting the appearances of other counsel on the telephone).
- 2. Counsel should use a landline whenever possible, should use a headset instead of a speakerphone, and must mute themselves whenever they are not speaking to eliminate background noise. In addition, counsel should not use voice-activated systems that do not allow the user to know when someone else is trying to speak at the same time.
- 3. To facilitate an orderly teleconference and the creation of an accurate transcript, counsel are *required* to identify themselves every time they speak. Counsel should spell any proper names for the court reporter. Counsel should also take special care not to interrupt or speak over one another.
- 4. If there is a beep or chime indicating that a new caller has joined while counsel is speaking, counsel should pause to allow the Court to ascertain the identity of the new participant and confirm that the court reporter has not been dropped from the call.

If possible, defense counsel shall discuss the attached Waiver of Right to be Present at Criminal Proceeding with the Defendant prior to the proceeding. If the Defendant consents, and

is able to sign the form (either personally or, in accordance with Standing Order 20-MC-174 of

March 27, 2020, by defense counsel), defense counsel shall file the executed form at least 24

hours prior to the proceeding. In the event the Defendant consents, but counsel is unable to

obtain or affix the Defendant's signature on the form, the Court will conduct an inquiry at the

outset of the proceeding to determine whether it is appropriate for the Court to add the

Defendant's signature to the form.

To the extent that there are any documents relevant to the proceeding, counsel should

submit them to the Court (by email or on ECF, as appropriate) at least at least 24 hours prior to

the proceeding. To the extent any documents require the Defendant's signature, defense

counsel should endeavor to get them signed in advance of the proceeding as set forth above; if

defense counsel is unable to do so, the Court will conduct an inquiry during the proceeding to

determine whether it is appropriate for the Court to add the Defendant's signature.

SO ORDERED.

Dated: December 9, 2020

New York, New York

LORETTA A. PRESKA, U.S.D.J.

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SOUTH	O STATES DISTRICT COURT ERN DISTRICT OF NEW YORK	V		
	O STATES OF AMERICA	Х		
	-V-		WAIVER OF RIGHT PRESENT AT CRIM PROCEEDING	
	, Defendant. 		-CR- ()()
<u>Check</u>	Proceeding that Applies			
	Entry of Plea of Guilty			
	I am aware that I have been charged my attorney about those charges certain charges. I understand I have beside me as I do. I am also aware COVID-19 pandemic has interfective courthouse. I have discussed the wish to advise the court that I willingly give up any right I replea so long as the following constrained and I also want the ability to speak proceeding if I wish to do so.	s. I have decided that have a right to appear of the enter my plear ware that the publicered with travel and ese issues with my attailingly give up my right sy signing this documinght have to have monditions are met. It to be able to speak o	of I wish to enter a pair before a judge in a of guilty and to have health emergency of restricted access torney. By signing the ght to appear in persent, I also wish to accy attorney next to make I want my attorney to my behalf during the significant of the s	lea of guilty to a courtroom in e my attorney created by the to the federal his document, I son before the dvise the court e as I enter my to be able to he proceeding.
Date:	Print Name	 Signature	of Defendant	
	Sentence			

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced.

I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:		
	Print Name	Signature of Defendant
client, my cl this waiver,	lient's rights to attend and pand this waiver and consent	ligation to discuss with my client the charges against my participate in the criminal proceedings encompassed by form. I affirm that my client knowingly and voluntarily with my client and me both participating remotely.
Date:	Print Name	 Signature of Defense Counsel
Addendum	for a defendant who require	es services of an interpreter:
also translat	ted this document, in its enti	iscuss these issues with the defendant. The interpreter rety, to the defendant before the defendant signed it.
Date:	 Signature of Defense Co	
	Signature of Defense Co	ulisei
Accepted:		
•	Signature of Judge	
	Date:	